

**BROKEN ARROW CITY COUNCIL  
AMENDED AGENDA  
COUNCIL CHAMBERS  
220 SOUTH FIRST STREET  
BROKEN ARROW, OKLAHOMA 74012  
July 1, 2008**

**6:30 PM**

- 1. Call to Order**
- 2. Invocation**
- 3. Roll Call**
- 4. Pledge of Allegiance to the Flag**
- 5. Consideration of Consent Agenda**
  - A. Approval of the regular meeting minutes of June 17, 2008
  - B. Acceptance of minutes of the Planning Commission meeting held June 12, 2008
  - C. Approval of nominations of Cynthia Hess and Bob Stubblefield to the Judicial Nominating Committee for an additional 2-year term
  - D. Approval of and authorization to execute a Contract for Professional Services with CityWide Subrogation, Inc.
  - E. Approval of and authorization to execute the Fifth Renewal of the Interlocal Printing Services Agreement between the City of Broken Arrow and the City of Tulsa
  - F. Approval of the sole source purchase of an ambulance from Midwest Professional Vehicles, Inc.
  - G. Approval of BAZ 1801, 12.87 acres, 1 lot, A-1 to CG, southwest corner of Dearborn Street (41st Street) and 37th Street (209th East Avenue)
  - H. Approval of BAZ 1802 and SP 225, Arrow Springs Animal Hospital, 0.46 acres, CN to CH and SP 225, north of Florence Street (111th Street), east of Elm Place (161st Street) at 550 West Florence Street
  - I. Approval of BAZ 1803 and SP 226, Veterinary Clinic at Battle Creek, 2.34 acres, ACH to CH, west of Aspen Avenue (145th East Avenue) between Omaha Street (51st Street) and Albany Street (61st Street) at 3150 North Aspen Avenue
  - J. Acceptance of a Temporary Construction Easement from Ron A. Kalusha (S19 T19N R15E) (Project: Steeplechase Drainage)
  - K. Acceptance of a Temporary Construction Easement from PMC Corporation (S16 T18N R14E) (Project: South Olive/129th East Avenue between Washington/91st Street and Houston/81st Street #ST0522)
  - L. Acceptance of a Utility Easement from Roland Investments, Ltd. (S2 T18N R14E) (Project: Charleston's at The Village at Stone Wood Hills)
  - M. Acceptance of a Trustee's Deed from The Trust Company of Oklahoma, Successor Trustee of the Helen North Markham Trust (S18 T18N R15E) (Project: #ST9814A)

N. Approval of the Claims List

**6. Consideration of Items Removed from Consent Agenda**

**7. Public Hearings, Appeals, Presentations, Recognitions, Awards and Oaths**

A. None

**8. Citizens' Opportunity to Address the Council on General Topics Related to City Business or Services (approximately 7:00 p.m.)**

**9. General Council Business**

- A. Consideration, possible approval of and authorization to execute a Professional Transportation Services Agreement with the Metropolitan Tulsa Transit Authority (MTTA) for Fiscal Year 2008-09
- B. Consideration and possible approval of SP 190A, Water of Life Church of Oklahoma, Inc., 6.17 acres, CG, southeast corner of Kenosha Street (71st Street) and Aspen Avenue (145th East Avenue)
- C. Consideration of and possible action on a request from Tapp Development for assistance from the City for costs associated with street widening improvements to 209th East Avenue for the Northeast Crossroads development
- D. Approval of and authorization for the Mayor to execute Resolution No. 527, a resolution authorizing institution of proper proceedings at law or in equity, including but not limited to initiation of a declaratory judgment action, as deemed advisable by the City Attorney, in response to a demand of taxpayers filed upon the City of Broken Arrow on June 6, 2008; and declaring an emergency

**10. City Manager's Report**

A. 2008 Legislative Summary

**11. Preview Ordinances**

A. None

**12. Ordinances**

- A. Ordinance No. 2968 - an ordinance amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931), approving BAZ-1795, granting an R-2 zoning classification be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- B. Ordinance No. 2969 - an ordinance amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931), approving BAZ-1713 granting a CH (previously C-5) and PUD 169 zoning classification be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- C. Ordinance No. 2970 - an ordinance amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931), approving BAZ-1719, granting an RS-3 (previously R3-S) zoning classification be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

- D. Ordinance No. 2971 - an ordinance amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931), approving BAZ 1739, granting an IH (previously I-2) zoning classification be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- E. Ordinance No. 2972 - an ordinance amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931), approving BAZ 1745, granting a R-2 zoning classification be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- F. Ordinance No. 2973 - an ordinance amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931), approving BAZ 1771, granting a CN (previously C-3) zoning classification be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- G. Ordinance No. 2974 - an ordinance amending Chapter 7, Article XI, Section 7-261 of the Broken Arrow Code pertaining to Wrecker Services, Specifications for Bidding for a long term wrecker contract; repealing all ordinances to the contrary; and declaring an emergency
- H. Ordinance No. 2975 - an ordinance amending Chapter 4, Article V, Section 4-87 of the Broken Arrow Code pertaining to Low Point Beverages, Retail dealer's license; repealing all ordinances to the contrary; and declaring an emergency
- I. Ordinance No. 2976 - an ordinance amending the Broken Arrow Code Chapter 6, Articles I through VII, IX and XI, Building And Building Regulations (Fee Revision); repealing all ordinances to the contrary; and declaring an emergency
- J. Ordinance No. 2977 - an ordinance amending the Broken Arrow Code Section 10-3, prohibiting the manufacture, sale, and use of fireworks within the City; providing for exceptions under permit; providing for conditions for the permits; providing for penalties; requiring adult supervision in the use of permits; repealing all ordinances to the contrary; and declaring an emergency
- K. Ordinance No. 2978 - an ordinance closing a Mutual Access Easement on Lot 3, Block 1, Tuscan Plaza, an addition to the City of Broken Arrow, Tulsa County, Oklahoma, according to the recorded plat thereof, repealing all ordinances to the contrary, and declaring an emergency

**13. Remarks and Inquiries by Governing Body Members**

- 14. Executive Session** for the purpose of confidential communications between the City Council, the City Manager, the Assistant City Manager and the City Attorney for the purpose of conferring on matters concerning a claim and potential litigation involving a "Demand of Taxpayers Upon the City of Broken Arrow", filed June 6, 2008; a claim and potential litigation involving the contract for Albany and 9th with Ed Schermerhorn, John Davis and Jack Wright; and litigation concerning Perry Pribble v. City of Broken Arrow, United States District Court for the Northern District of Oklahoma, Case Number 08CV-147 GKF, and City of Broken Arrow v. Martha Chapman Fowler, et al., Tulsa County District Court Case Number CJ-2008-1800, all under 25 O.S. § 307(B)(4). In the opinion of the City Attorney, the Council is advised that disclosure will seriously impair the ability of the public body to process the pending claim, investigation and litigation in the public interest. After the conclusion of the confidential portion of executive session, the Council will reconvene in open meeting, and the final decision, if any, will be put to a vote.

**15. Adjournment**

**NOTICE:**

All cell phones and pagers must be turned OFF or operated SILENTLY during Council meetings.

Exhibits, petitions, pictures, etc., presented to the authority shall be received and deposited in case files to be kept at the Broken Arrow City Hall.

If you are a person with a disability and need some accommodation in order to participate in this meeting, please contact the City Clerk at 918-259-2400 Ext. 5418 to make arrangements.

POSTED this \_\_\_\_ day of \_\_\_\_\_, 2008, at \_\_\_\_\_ a.m./p.m.

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City Clerk